

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

NANCY WHITAKER,)
)
Plaintiff)
) No. 3:11-0522
v.) Judge Nixon/Brown
) **Jury Demand**
LEON E. PANETTA,)
SECRETARY OF DEFENSE,¹)
)
Defendant)

O R D E R

A telephone conference was held with the parties in this matter on October 31, 2013. A key witness for both sides went into labor just as her deposition was scheduled to be taken in Atlanta. They anticipate that she will be out through the first of the year, at a minimum. The parties have an additional deposition plus that of the Plaintiff to take and they believe that those depositions need to be taken after they have completed the delayed deposition.

Accordingly, the scheduling order in this matter is amended to provide that all discovery shall be completed by **March 14, 2014**. Dispositive motions will be filed on or before **April 30, 2014**. Responses to dispositive motions shall be filed within **28 days** after service. Briefs shall not exceed **25 pages** without leave of Court. Optional replies, limited to **five pages**, shall be filed within **14 days** after service of the response. If dispositive

¹The current Secretary of Defense is The Honorable Chuck Hagel.

motions are filed early, the response and reply dates are moved up accordingly.

After consulting with Judge Nixon's chambers the present trial and pretrial conferences dates set in Docket Entry 35 are **CANCELED** and are reset for trial on **October 7, 2014, at 9:00 a.m.** Judge Nixon will conduct the final pretrial conference on **September 26, 2014, at 10:00 a.m.** Judge Nixon will issue a separate order covering his requirements for the final pretrial conference and the trial.

The Magistrate Judge briefly discussed the possibility of alternative dispute resolution with counsel. The parties advised that there is another EEOC case and that it appears they cannot resolve this case until the EEOC completes its action on the unrelated matter. The parties are advised that the Magistrate Judge stands ready to assist with alternative dispute resolution at their request at any point.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge